

REMARKS

In view of the above amendments and the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 1-2, 4, 6-7, 9 and 11-50, the only claims pending and currently under examination in this application.

In the above amendments, the claims have been amended to limit the nature of the dissolution solution to a vascular lesion dissolution solution, support for this amendment being found in the specification at page 5, lines 13 ff, as well as in other parts of the specification. In addition, the claims have been amended to limit the nature of the fluid dispensing means to a metered fluid dispensing means, support for this limitation being found in the previously pending Claims 3, 5, 8 and 10. As the above amendments introduce no new matter to the application, the Examiner is respectfully requested to enter these amendments.

An objection has been raised to Claims 11 and 22. In view of the above amendments, this objection may be withdrawn.

Claims 17-20 have first been rejected under 35 U.S.C. § 112, 2nd ¶. In view of the above amendment to Claim 17, this rejection may be withdrawn.

Claims 1-10, 15-19, 21-29, 31-36, 42-45 and 50 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Delaney. Delaney fails to explicitly teach the metered fluid dispensing element of the present claims following the above amendments. In fact, a word search of the text of the Delaney patent shows that the words "meter" and "metered" do not appear in the text of this patent. As such, Delaney fails to anticipate these claims because Delaney fails to explicitly teach each element of these claims. As such, this rejection may be withdrawn.

Next, Claims 21 and 46 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Emig. Following the above amendments, the claims are limited to ones in which the dissolution fluid is a vascular lesion dissolution fluid. Emig fails to teach or suggest a vascular lesion dissolution fluid. As such, Emig does not anticipate these claims and this rejection may be withdrawn.

Next, Claims 1 -10, 12-19, 42-45, 47 and 50 were rejected under 35 U.S.C. §103(a) as obvious over Emig in view of Mische, for the asserted reason that Emig teaches all of the elements of the claims but for the multi-lumen catheter, which element is assertedly made up by Mische. However, as pointed out above, Emig fails to teach or suggest a vascular lesion dissolution fluid. As Mische is cited solely for the element of the multi-lumen catheter, Mische fails to make up this fundamental deficiency in Emig. Accordingly, Claims 1 -10, 12-19, 42-45, 47 and 50 are not obvious under 35 U.S.C. §103(a) over Emig in view of Mische and this rejection may be withdrawn.

Finally, Claims 11, 20, 22, 30-41 and 48-40 were rejected under 35 U.S.C. §103(a) as obvious over Emig in view of Mische, and further in view of Frey, for the asserted reason that Emig and Mische teach all of the elements of the claims but for the cartridge, which element is assertedly made up by Frey. However, as pointed out above, Emig fails to teach or suggest a vascular lesion dissolution fluid. As Mische is cited solely for the element of the multi-lumen catheter and Frey for the cartridge, Mische and Frey fail to make up this fundamental deficiency in Emig. Accordingly, Claims 11, 20, 22, 30-41 and 48-40 are not obvious under 35 U.S.C. §103(a) over Emig in view of Mische and Frey and this rejection may be withdrawn.

Conclusion

In view of the above amendments and remarks, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issue.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

Respectfully submitted,

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Date: 3-3-03

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